Crl.A. 148/2003
BEFORE
THE HON'BLE MR JUSTICE P.G.AGARWAL

This appeal under Section 377 Cr. P.C. is directed against the order of conviction and sentence passed by the learned Sessions Judge, Darrang in Sessions Case No.93 (DMET) 2001. Accused/ Respondents were sentenced to imprisonment for five years under Section 304 Pt II IPC and this application for enhancement of the sentence was preferred by the State of Assam.

We find that against the order of conviction and sentence the appellants preferred Crl. Appeal No.60/2003 and this Court vide judgment and order dated 28.06.05 have reduced the sentence of imprisonment to the period already undergone by them, which was to the tune of 2 years 8 months 19 days.

In view of the above position, the learned Public Prosecutor fairly submits that the present case has no merit. The appeal is, therefore, dismissed.